

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CR-17-290-D
)	
DANIEL WEBSTER KEOGH and)	
DANIELLE KEOGH,)	
a/k/a DANIELLE E. TRUITT,)	
)	
Defendants.)	

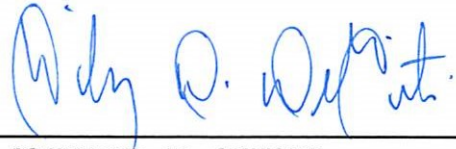
ORDER

Upon consideration of Defendant Danielle Keogh’s Motion to Strike Government Sur-Reply to Motion in Dismiss [Doc. No. 68], the Court finds that it should be denied. The government was expressly authorized to file its Sur-Reply Brief. *See* 8/30/18 Order [Doc. No. 61]. The Court rejects Mrs. Keogh’s contention that the arguments presented in the government’s brief exceed the scope of that authorization, and in any event, Mrs. Keogh effectively responds to the government’s brief by including substantive arguments in support of her Motion. *See* Mot. Strike at 13-21. The Court will consider Mrs. Keogh’s additional arguments in deciding the underlying motion. No further briefing is warranted.¹

¹ The briefs concern Mrs. Keogh’s motion to dismiss certain counts of the Indictment as time-barred by the statute of limitations [Doc. No. 55]. These same issues are raised by a similar motion of her codefendant [Doc. No. 98] and have been fully briefed in the context of his motion as well. The Court finds the existing briefs to be fully adequate to decide the timeliness issues presented. Mrs. Keogh’s legal authority for the proposition that the Court must permit a further response (Mot. Strike at 13 (citing *Pippin v. Burlington Res. Oil & Gas Co.*, 440 F.3d 1186, 1192 (10th Cir. 2006))) concerns summary judgment procedures required by Fed. R. Civ. P. 56, and is inapposite.

IT IS THEREFORE ORDERED that Defendant Danielle Keogh's Motion to Strike Government Sur-Reply to Motion in Dismiss [Doc. No. 68] is DENIED, as set forth herein.

IT IS SO ORDERED this 1st day of April, 2020.



TIMOTHY D. DeGIUSTI
Chief United States District Judge